

FISCAL NOTE

SB 208 - HB 564

February 18, 2003

SUMMARY OF BILL: Prohibits use of a mobile telephone by the operator of a motor vehicle while the vehicle is in motion unless the operator maintains both hands on the steering wheel, the operator is calling 9-1-1, a law enforcement agency or other emergency service provider. Specifies that such prohibition does not apply to law enforcement officers, firefighters or the emergency response personnel when acting in their official capacity. Provides that if a motor vehicle is involved in an accident while the operator is using a mobile telephone there is a rebuttable presumption in any arising civil action that such telephone use constitutes operator negligence contributing to the accident. Specifies that violation of these provisions does not constitute a criminal offense.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - Not Significant

Increase Local Govt. Revenues - Not Significant

Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- violation of provisions of bill is a Class C misdemeanor in accordance with TCA 55-8-103.
- an increase in state revenues from fines levied and collected under the provisions of the bill. This increase depends on the level of enforcement but is estimated to be not significant. The state receives proceeds of fines in accordance with TCA 55-10-303.
- impact on local government expenditures depends on the number of persons convicted of the offense who are incarcerated and the cost to the local government to confine such persons.
- clerks receive commission for collecting fines.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director